IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 3654 OF 1995

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the Civil Judge?

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NATWARBHAI P. PATEL & ORS. - Petitioner(s)
Versus
STATE OF GUJARAT & ORS. - Respondent(s)

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Appearance :
NONE for Petitioner(s).
MR. DIPEN DESAI, AGP for Respondent(s) : 1, 3.
RULE SERVED BY DS for Respondent(s) : 2, 4 - 5.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG
and
HONOURABLE MR.JUSTICE M.R. SHAH

Date : 27/06/2006

ORAL JUDGMENT
(Per : HONOURABLE MR.JUSTICE R.S.GARG)

By this Writ Application under Article-226 of

the Constitution of India, the petitioners seek to challenge the *vires* of Section 76(B) of the Gujarat Cooperative Societies Act, 1961 (X of 1962) introduced by the Gujarat Cooperative Societies (Amendment & Validation) Act, 1982. A Division Bench of this Court, in the matter of ***Amreli District Co-operative Sale & Purchase Union Limited & Ors. Vs. State of Gujarat*** reported in ***1984 (2) GLR 1244,*** has already upheld the *vires* of the aforesaid provision.

In view of the said judgement, nothing further is required to be done. The petition is dismissed. Rule is discharged. Interim relief, if any, granted earlier shall stand vacated. No costs.

[***R.S.Garg, J.***]

[***M. R. Shah, J.***]

*kamlesh**